IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 1267 of 1984
With
FIRST APPEAL No. 410 of 1984

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RANGLAL GANESHLAL JAIN
Versus
SURESHBHAI BACHUBHAI MAKWANA SON OF BACHUBHAI DAHYABHAI

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Appearance :
MR KV SHELAT for Applicant(s) : 1,MR SN SHELAT for Applicant(s) : 1,
MS DEVYANI N DAVE for Opponent(s) : 1,
MS BHAVNA K SHAH for Opponent(s) : 1,
MS SALONI S GUPTA for Opponent(s) : 1,
MR CHETAN K PANDYA for Opponent(s) : 1.2.1, 1.2.2, 1.2.3,1.2.4

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 30/01/2006

COMMON ORAL JUDGMENT

1. The First Appeal is placed before this Court by the Office after obtaining necessary orders from Hon'ble the Chief Justice on a note dated 27.01.2006 filed by

Mr.K.V.Shelat, the learned advocate appearing for the petitioner in Civil Revision Application No.1267 of 1984.

2. Learned advocate appearing for the parties have presented consent terms duly signed by Shri Bhavanrlal Shankerlal Jain (appellant in First Appeal), Shri Ranglal Ganeshlal Jain (petitioner in Civil Revision Application), Suryakant @ Sureshbhai Bachubhai Makwana in his personal capacity as well as Power of Attorney holder of Smt.Prabhavatiben Bachubhai Makwana, Shri Vijendrabhai Bachubhai Makwana and Smt.Dhanlaxmi Bharatiben Kamleshbhai Chauhan – respondents in First Appeal and Civil Revision Application.

It is agreed between the parties that respondents will sell the property to the appellant of First Appeal in the name of his wife for the amount mentioned in the consent terms. It is also agreed that the parties will apply for the necessary permission under the 'Disturbed Areas Act'. The learned advocates states that as the transfer is from a Hindu to a Hindu, the same will be granted by the authorities.

3. The consent terms are taken on record. The parties are directed to abide by the consent terms. First Appeal

No.410 of 1984 is decreed in terms of the consent terms produced on record.

Civil Revision Application No.1267 of 1984 is allowed, the eviction decree passed against the petitioner (in Civil Revision Application) is hereby quashed and set aside. Rule is made absolute with no order as to costs.

Both these matters are disposed of accordingly.

(RAVI R.TRIPATHI, J.)

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